

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**BILLIE KITCHESAN,**

**Defendant.**

**8:13CR430**

## ORDER

This matter is before the court on the defendant's unopposed motion to continue trial [18] as defendant has entered pretrial diversion. The court will continue the defendant's trial for approximately six months. Upon successful completion of pretrial diversion, counsel shall notify the court and the trial will be cancelled.

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial now set for February 11, 2014 is continued to **July 8, 2014.**

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 8, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED February 6, 2014.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**